

# FAX

RECEIVED  
CENTRAL FAX CENTER  
OCT 12 2004

TO: Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Fax (703) 872-9306

FROM: Thomas J. Brindisi  
Law Offices of Thomas J. Brindisi  
Tel. (310) 439-2901  
Fax (310) 439-2902

DATE/TIME: October 8, 2004

2 Pages (including cover sheet)

**RE: Response to Restriction Requirement**

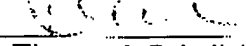
Application Number:	10/619,687
Attorney Docket:	BRI/018
Filing Date:	7/15/2003
First Named Inventor:	David T. Jennings III
Title:	Current Modulation-Based Communication from Slave Device
Examiner:	Timothy D. Collins
Art Unit:	3643

Attached are:

- Response to Restriction Requirement

**Certificate of Transmission under 37 CFR 1.8**

I hereby certify that this correspondence and the attached correspondence(s) referenced above are being facsimile transmitted to the United States Patent and Trademark Office at the fax number set forth above on October 8, 2004.

Signed:   
Thomas J. Brindisi

RECEIVED  
CENTRAL FAX CENTER

OCT 12 2004

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1<sup>st</sup> Named Inventor: David T. Jennings III  
Serial No.: 10/619,687  
Filed: 7/15/2003  
Title: Current Modulation-Based  
Communication from Slave Device

Group Art Unit:  
3643  
Examiner:  
Timothy D. Collins

RESPONSE TO RESTRICTION REQUIREMENT

Mailstop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

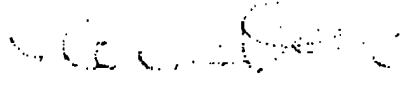
Sir:

In response to the new restriction requirement of September 30, 2004, Applicant hereby elects species B. Claims 11-17 and 21-23 read on species B, with claims 11-13, 16, 17, and 21-23 being generic to both species A and B. No claims are specifically restricted to species A, because none are mutually exclusive of the embodiment of species B. MPEP 806.04(f) ("Claims to be restricted to different species must be mutually exclusive ... [i.e.,] recite the mutually exclusive characteristics of such species.") In other words, there are no claims drawn to a computer communication system that cannot be an electronic blasting system. For example, claims 11, 21, 22, and 23 cannot be said to be restricted to species A, because then it would be impossible for claims 14, 15, 24, and 25 (specifically directed to species B) to depend from them.

With respect to the portion of the restriction requirement of June 11, 2004 regarding groups I and II, it is noted that traversal thereof in Applicant's July 12, 2004 response was not addressed in this new restriction requirement. It is respectfully requested that the traversal of that portion of the June 11, 2004 restriction be considered and addressed. (Alternately, if that traversal was not addressed because the new restriction requirement was intended to replace the first restriction requirement in its entirety, please reinstate withdrawn claims 1-7).

Respectfully submitted,

Dated: October 8, 2004

  
THOMAS J. BRINDISI  
Reg. No. 40,348

20 28<sup>th</sup> Place, Suite B // Venice, California 90291  
Tel. (310) 439-2901 // Fax. (310) 439 2902